



## BULLYING AND HARRASSMENT POLICY

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### 1.0 INTRODUCTION

Starlight arts has a firm commitment to equality of opportunity and as such will not tolerate the harassment or bullying of one person by another. The purpose of this policy is to assist in developing an environment where everyone is treated with dignity and respect and in which harassment and bullying are understood to be unacceptable. Individuals should also have the confidence to complain about harassment, bullying or victimization should it arise, in the knowledge that their concerns will be dealt with appropriately and fairly.

The policy outlines procedures to be followed if anyone feels they are being harassed or bullied.

Implementation: It is the responsibility of the manager to ensure that staff and members are aware of and understand this policy and any subsequent revisions.

### 2.0 RESPONSIBILITIES

Starlight arts welcome diversity and believes that everyone has a right to work/attend an environment which encourages harmonious relationships. We are committed to preventing harassment and bullying and it is the responsibility of the Manager to make sure that their employees and members are aware of, and understand, the context and scope of this policy.

We also have a legal obligation under the Equality Act 2010 to ensure that harassment on the grounds of someone's race, sex, disability or age does not take place.

Everyone has a personal liability under the Equality Act 2010 and the Protection from Harassment Act 1997. Allegations of harassment and bullying will be treated very seriously and could result in disciplinary action being taken.

Starlight Arts will ensure that any employee/member raising a concern under this policy is not victimised as a result.

### 3.0 HARASSMENT AND BULLYING

Harassment and bullying can take a variety of different forms ranging from:

- Repeatedly ignoring someone or excluding from social events.
- Subjecting someone to unwelcome sexual advances
- Intimidating or humiliating a person
- Physical threats or violence.

Harassment and bullying may consist of a single incident or a series of incidents. Behaviour that may appear trivial as a single incident, can constitute harassment or bullying when repeated. Bullying is offensive, malicious, intimidating or insulting behaviour and/or the exercise of power over another person through negative acts or behaviour's that undermine them personally and/or professionally.

Bullying can take the form of shouting, sarcasm, derogatory remarks concerning job performance and/or constant criticism. Bullying is to be distinguished from vigorous academic debate or the actions of a Manager making reasonable (but perhaps unpopular) requests of their staff.

Harassment is unwanted conduct related to relevant protected characteristics, which are sex, gender reassignment, race, disability, sexual orientation, religion or belief and age.

The over-riding principles in dealing with allegations or concerns of harassment or bullying are that they must be taken seriously, considered carefully and addressed speedily and, where possible, in confidence.

### 4.0 VICTIMISATION

Victimisation is the act of subjecting a person for detrimental treatment because he or she has, in good faith, made a complaint (whether formally or otherwise), that someone has been bullying or harassing him or her or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This behaviour can include isolating someone because he or she has made a complaint or giving him or her a heavier or more difficult workload.

Provided that the person's complaint was made in good faith, (the person genuinely believes that what he/she is saying is true), the person has a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and we will take appropriate action to deal with any allegation of victimisation, which may include disciplinary action against anyone found to have victimised a person.

### 5.0 THE PROCEDURE

The purpose of this procedure is to ensure that everyone has appropriate means to communicate any incidents of harassment or bullying so that these can be addressed as fairly, quickly and effectively as possible.

It includes:

- A procedure which covers informal resolution
- A procedure which covers formal resolution when informal resolution has failed

At all stages of the procedure, the need to maintain confidentiality will be paramount. Information circulation will be minimized to that which is necessary to ensure a fair investigation and hearing. This procedure is separate from the disciplinary procedures, which may be used following the results of investigations which occur during this process. Alternatively, an incident may be so serious that the disciplinary procedures are invoked immediately.

Throughout this process staff and members can obtain advice from the Manager.

## 6.0 KEEPING A RECORD

It is important that anyone who believes that they have suffered from harassment or bullying should keep details of each incident of harassment or bullying as it occurs.

Detailed notes should include the following:

- date;
- time;
- place;
- name of person/persons harassing or bullying them;
- description of the events which occurred;
- how the individual actually felt at the time and following the incident;
- name of any witnesses;
- action taken and whether reported to management.
- all correspondence relating to the incident and subsequent complaints.

## 7.0 DEALING WITH A COMPLAINT – STAGE 1

### 7.1 Informal Resolution

The initial handling of any incident of harassment or bullying is very important. Every effort should be made to resolve the issue informally in the first instance and the individual should make it clear to the offender that the behaviour is not welcomed and should stop.

If the individual is too embarrassed to speak to the person directly, they could ask someone to do this for them. Alternatively, the individual may prefer to write to the offender. A note should be made of any action taken. If the harassment or bullying continues, or the individual cannot take personal action they should then contact their Manager for advice on the next stage. Where the individual indicates that they would prefer to discuss the matter with a person of the same sex/race/age etc, this will be arranged wherever possible.

An appropriate course of action should then be agreed:

- To take no further action at this stage, but to record any future incidents as recommended above and to keep the situation under review.
- If the offender has not already been approached then ask the person to stop the offending behaviour and keep the situation under review.
- With the agreement of both parties, mediation by a third party may be appropriate in order to bring about an outcome which both parties feel is acceptable. Mediation can be accessed and arranged through the manager.
- If an informal resolution cannot be reached, the individual may decide to make a formal complaint. Any discussion will be confidential and no further action will be taken without the consent of the individual.

#### 8.0 DEALING WITH A COMPLAINT – STAGE 2

Formal complaints must be made in writing and forwarded to the Manager, but where the Manager is implicated, the complaint must be forwarded. At this stage we will follow the Grievance procedure which will involve the person being invited to a meeting at a reasonable time and location at which their grievance will be discussed in more detail and considered. The person has the statutory right to be accompanied at the meeting (if requested)

#### 9.0 RIGHT OF APPEAL - STAGE 3

If the person is dissatisfied with the outcome of their grievance they have the right to appeal. The person will be informed of who the appeal should be addressed to and where to send their appeal in their grievance outcome letter. This should be done in writing within five working days of the receipt of the outcome of their grievance (stage 2). Following the appeal meeting the person will be informed of the final decision, normally within ten working days, which will be confirmed in writing.

#### 10.0 FURTHER ACTION

The action to be taken by the manager who originally received the complaint will depend on the conclusions reached following the investigation. If the allegation has not been substantiated the manager will need to issue a statement to both parties outlining this conclusion.